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ABSTRACT

This report outlines current research on teacher policy, summarizes legislation from the 1997 legislative session, and forecasts teacher policy trends for 1998. The report is intended to assist states in examining and improving teacher policies by providing information about how other states have approached the issue. Current research demonstrates that teacher quality is the most significant factor affecting student achievement, so the education and qualifications of teachers is an important factor in determining student success. The 1997 legislative session saw numerous states address key components of teacher policy, including teacher certification, salary and other benefits, professional development, and tenure and dismissal. The year 1998 promises to be another busy year for education and teacher policy according to a recent National Conference of State Legislatures (NCSL) survey. Legislators will again work to increase teacher quality by creating more rigorous teacher certification requirements. Projected teacher requirements and the demand for new educators provide states with a window of opportunity to reshape the composition of their teacher corps over the next decade. States hope to enhance future teacher quality through more rigorous licensure and professional development requirements and to establish recruitment programs to diversify the teaching population. (Contains 9 references.) (SM)

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Teacher Policy: A Summary of Current Trends

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By Eric Hirsch, *Policy Specialist*

The 1997 legislative session ushered in many new laws affecting teachers, from preservice and teacher education programs through tenure and retirement. About four-fifths of the states legislated changes in some area of teacher policy last year and many more have placed teacher policy as a top priority for the 1998 legislative session, according to a recent NCSL survey.

Teachers were affected by 1997 legislation that addressed preservice, teacher education, tenure and retirement.

Numerous factors are coming together to catalyze legislative action on teacher policy. First, mounting research demonstrates that investing in teacher quality has a significant impact on student achievement. Second, a record number of students coupled with the impending retirement of an aging teaching corps have forced states to consider teacher shortages. Finally, teacher unions and national organizations like The National Commission on Teaching and America's Future (NCTAF) have brought teacher policy to the forefront of the federal and many state education agendas.

This report outlines current research on teacher policy, summarizes legislation from the 1997 legislative session, and forecasts teacher policy trends for 1998. The report is intended to assist states in examining and improving teacher policies by providing information as to how other states have approached this issue. We hope the report facilitates conversation about teacher policy in and between states. Please contact the author for information on any of the publications or legislation discussed, or for a contact person in any of the states listed.

Research: The Importance of Teaching

Buoyed by the work of NCTAF, the U.S. Department of Education and other national organizations, current research demonstrates that teacher quality is the most significant factor affecting student achievement. In analyses of students in Texas and Alabama, it

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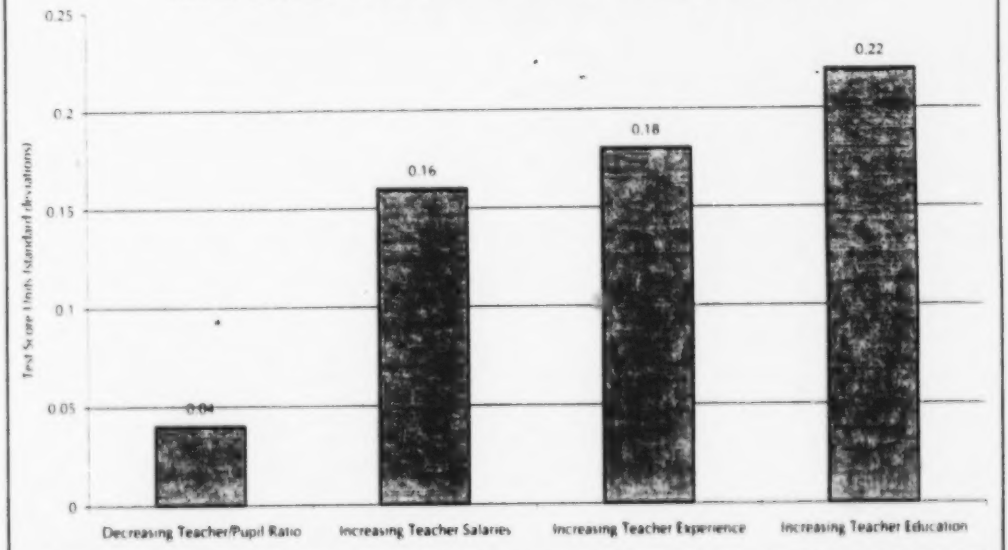
was found that teachers' expertise accounted for about 40 percent of the variance in students' reading and mathematics achievement in grades 1 through 11. The influence of teacher qualifications and class size together was found to have a greater impact on student achievement than poverty, race and parent education combined.

NCTAF, in an evaluation of numerous national and state specific studies from Georgia, Michigan, Virginia, Tennessee and California found that all of these works reached similar conclusions: Students achieve at greater levels when taught by qualified teachers (certification in their teaching field, level of experience and master's degrees). This can be seen in figure 1. Teacher education, ability and experience along with small schools and lower teacher-pupil ratios have been linked to significant increases in student achievement. Of these factors, spending on teacher education was found to be the most productive investment for schools and states in attempting to raise student performance.

Figure 1. Effects of Educational Investments
Size of Increase in Student Achievement for every $500 spent on:



Source: Rob Greenwald et al., "The Effect of School Resources on Student Achievement," *Review of Educational Research*, 1996.

While more teacher education is generally considered better than less, new studies show that not only the amount, but the type and quality of both pre-service and in-service education also are important. Teacher education departments that offer five-year programs and extended internships find that their graduates are more likely to enter and remain in teaching than traditional programs. A 1993 study in California found that students with teachers who participated in professional development that was based on actual curriculum and sustained throughout the school year performed at higher levels in

mathematics. The study also found that teachers undergoing this type of professional development had a better understanding of mathematics teaching strategies and were more likely to implement new approaches into classroom instruction.

While degrees of impact and significance vary across studies, virtually all of the research concludes that the education and qualifications of teachers is an important factor in determining student success. States such as Connecticut and North Carolina that undertook major initiatives in past years aimed at improving teacher quality posted some of the largest gains on the National Assessment of Education Progress and other measures of student achievement. Given these findings, more states are reevaluating teacher policies across the country.

Trends from 1997: More Rigorous Requirements

The 1997 legislative session saw numerous states address key components of teacher policy: teacher certification, salary and other benefits, professional development, and tenure and dismissal. The most ambitious legislation came out of North Carolina. The "Excellent Schools Act" (Session Law 1997-221/SB 272) legislated reform in all of these areas together, attempting to create an integrated policy approach across the teaching career continuum. The act, based on NCTAF recommendations, does the following:

- Raises standards for pre-service, initial certification, continuing certification and certificate renewal.
- Increases teacher salaries, with a goal of reaching a starting salary of $25,000 for teachers with bachelors degrees by the year 2000.
- Provides substantial salary steps for attaining a master's degree or National Board for Professional Teaching Standards certification.
- Extends the teacher probationary period from 3 to 4 years, as well as a revision of dismissal procedures for tenured educators.
- Provides school based incentives for improvements in student achievement and requires the testing of all certified staff members in low performing schools.
- Creates additional professional development opportunities.

North Carolina legislation attemped to create an integrated policy approach across the teaching career continuum.

As illustrated in the accompanying table, North Carolina was one of many states to consider and pass teacher policy legislation in 1997. A summary of enacted legislation in various teacher issue areas is included in table 1.

Teacher Certification

As more and more students are held accountable for what they learn through state assessments and graduation exams, legislatures are, in turn, attempting to hold teachers to a higher standard through both increased educational requirements as well as mandated basic skills tests. Research demonstrates that requiring higher levels of teacher education and increasing the amount and type of professional development for certification renewal

Table 1. Enacted Teacher Policy Legislation, 1997 Session*

State	Certification	Salary/ Benefits	Professional Development	Tenure/ Dismissal
Alabama		Act No. 238; Act 444		Act No. 622
Alaska	HB 145			
Arizona				HB 2162
Arkansas		Act 802; Act 1137	Act 1137; Act 1275	
California		Chapter 1		
Colorado	HB 1058			SJR 97-14
Connecticut			HB 5006	
Delaware		HB 100		
Florida	Chapter 97-4	Chapter 97-212		Chapter 97-310
Georgia	HB 420	Act 197		
Idaho		Chapter 145		Chapter 125
Illinois		P.A. 90-65, 90-32		
Indiana	HB 1611			
Kentucky	1996-HB 327		1996-HB 305	
Louisiana	Act 439	Act 18	Act 306	
Maine	Chapter 452			
Maryland			Chapter Number 179	
Minnesota	SF 950			
Mississippi	SB 2512; HB 1601	HB 14	HB 14	
Missouri		HB 604		
Montana				Chapter 4[illegible]8
Nevada			Chapter 453	
New Hampshire	Chapter 77	Chapter 274		
New Jersey		P.L. 1997-112; 63	P.L. 1996-129	
New Mexico	Chapter 238			
New York		Ch. 143; 80; 370; 369		
North Carolina	S.L. 1997-221	S.L. 1997-221	S.L. 1997-221	S.L. 1997-221; 325
North Dakota	H.S.L. 1216; 1337	H.S.L. 1142-4; 1055		
Oklahoma	HB 1534	HB 1336; 1872-5	HB 1877; 2017; SB 398; 202	
Oregon	Chapter 383		Chapter 383	Chapter 864
Rhode Island		Ch. 169; 211; 314		Chapter 307
South Carolina	Rat #0133			
Texas	HB 571; 623	HB 2812		
Utah	S.L. Chapter 95	S.L. Chapter 55		
Virginia	HB 2853		HB 1848	
Washington	SB 5925	SB 5674	SB 5340	
West Virginia			SB 427	
Wyoming	Chapter 66; 194			

*States not included in this table failed to enact teacher policy legislation in 1997.

is, perhaps, the best investment in creating a quality teacher corps. The following states changed their policies during the 1997 legislative session:

- Alaska ensured that certificate applicants attended an accredited higher education institution.
- Colorado amended its licensing statutes to reform professional development and induction requirements.
- Indiana now requires individuals seeking a teacher's license to demonstrate proficiency in basic reading, math, writing, pedagogy, and within their specific subject area.
- Florida unveiled minimum competencies necessary to become certified to teach.
- Mississippi modified its license requirements for both alternative certification and for those applicants from an approved teacher education program.
- North Carolina diversified its certification procedures by creating a three-tiered system of initial, continuing and advanced certification tied to performance assessments.
- Oregon created new Teacher Standards and Practices license categories with professional development requirements attached to renewal.
- Texas created additional certification provisions, allowing educators to teach outside of their subject area or grade level upon satisfactory completion of an examination or other assessment of qualifications.
- Wyoming now allows university and community college instructors to teach high school classes without attaining certification.

States also are continuing to pass legislation that requires background checks in order to attain certification or secure employment in a school district. Alaska, California, Colorado, Georgia, Minnesota, New Hampshire, New Mexico, North Dakota and Pennsylvania all passed legislation that creates or alters background checks on certificate applicants and other school personnel in 1997.

Teacher Salaries and Benefits

Many states have coupled more rigorous requirements for teachers with increased salaries and benefits. According to NCTAF and the U.S. Department of Education, the nation will need 2 million more teachers over the next decade. As states begin to compete for teacher candidates with shortages becoming more commonplace, both a comprehensive recruitment plan and competitive salaries are likely to grow in importance.

More rigorous teacher requirements were coupled with increased salaries and benefits.

About half the states have statewide salary schedules, setting minimum salaries for teachers while allowing local districts to pay additional amounts. The average U.S. teacher salary for 1995-96 was $37,685, growing 5.1 percent over the past decade when adjusting for inflation, according to the National Education Association. Given the large salary discrepancies between even neighboring states, more and more states have attempted to provide teachers with better salary and benefit packages in order to attract high quality applicants.

North Carolina passed the most ambitious salary reforms in 1997, setting a goal of a minimum starting salary of $25,000 by the year 2000 and providing substantial salary increases for National Board certification and attaining a master's degree. Alabama required that teachers be paid according to the state salary matrix. Arkansas created a new salary schedule. According to the schedule a teacher with a master's degree and 15 years experience must make greater than or equal to 150% of the minimum salary on the pay scale (currently $20,000 and $30,000 respectively). Louisiana allocated $65.2 million in state funds to give every teacher a raise of approximately $1,000 as part of its education appropriations bill.

Salary is not the only means states have used in attempting to bolster and diversify the teaching population. Florida passed substantial legislation, establishing minority teacher scholarships that provide $4,000 per year to students pursuing a career in education. The law also creates the Florida Fund for Minority Teachers, Inc., at the University of Florida's College of Education to administer the program. Mississippi passed a similar bill, creating a teacher education cooperative pilot program designed to assist school districts in geographical critical teacher shortage areas of the state. Virginia and West Virginia enacted teacher scholarship programs in an attempt to recruit minority teachers and other educators to areas of high need.

Professional Development

States are placing minimum acceptable requirements on teacher professional development programs or mandating specific in-service topics.

While the specifics of teacher professional development programs are often left to the discretion of local school districts, more states are placing minimum acceptable requirements on these plans or mandating specific in-service topics. Perhaps the most consistent finding in professional development research is that sustained, ongoing programs are more effective than one time in-service models. Arkansas passed legislation that attempts to break down one of the most significant barriers to this type of development opportunity: time. The state now requires local school districts to provide a minimum of 200 minutes of scheduled time each week for conferences and instructional planning and preparation. Other reforms from the 1997 session include:

- Connecticut mandated that schools hold in-service days on a variety of topics, including: drug and alcohol abuse discouragement, mental health risk reduction, growth and development of exceptional children, school violence and conflict resolution, CPR and technology use.
- Florida provided for district assessments, mandating that they include criteria for continuous teacher quality and improvement.
- New Jersey established the Education Technology Teacher Training Program.
- North Carolina created additional professional development opportunities.
- Oklahoma created the Professional Development Revolving Fund to be used for the purpose of developing and administering programs for teachers and administrators. A different bill authorizes the creation of a Professional Development Institute in reading to train elementary school teachers and provides for additional institutes as funds become available.

- Virginia required the State Board of Education to provide technical assistance on professional development to local school boards to ensure that all instructional personnel are proficient in the use of technology, consistent with its 6-year education technology plan.
- Washington limited the educational credits that teachers can use toward career advancement to courses that are directly related to a teacher's current or expected area of instruction.

Many states are also attempting to expand professional development through National Board of Professional Teaching Standards (NBPTS) certification. Arkansas, Maryland, North Carolina and Oklahoma all provided incentives for teachers to attain NBPTS certification in 1997. Currently 13 states and numerous school districts assist teachers with NBPTS fees and eight states provide salary increases for certification.

Teacher Tenure and Dismissal

While teacher tenure was originally instituted as a means of protecting qualified teachers from arbitrary dismissal, legislators across the country are questioning whether tenure guards against unjust termination or creates lifetime employment opportunities for teachers. Many states considered tenure reform in 1997 ranging from complete abolition (in the form of yearly contracts for teachers) to extending teacher probationary periods and streamlining due process timelines. These reforms are not surprising given both the cost and time it takes to dismiss teachers. A New York State School Boards Association study from 1994 claimed that it takes an average of 455 days and $177,000 to dismiss a teacher in the state, with the average price jumping to $317,000 if the decision is appealed.

Legislators are questioning whether teacher tenure gaurds against unjust termination or creates lifetime employment opportunities for teachers.

The bigger story was the number of tenure reforms that failed. Efforts to abolish tenure in Colorado and Georgia were unsuccessful and many other tenure bills across the nation failed to be enacted. The exception from 1997 was Oregon. The state virtually eliminated tenure, directing school districts to employ teachers on renewable two-year contracts. In the case of non-renewal, the teacher is placed on an improvement assistance program. If a contract is not extended for a new two-year term after the program, then written notice must be given to the teacher and an appeal process to the Fair Dismissal Board is possible. Administrators will be placed on three-year renewable contracts. Among other state actions:

- Colorado created a task force to analyze teacher evaluation and dismissal issues and will consider legislation during the 1998 session based on its recommendations.
- Idaho authorized school board trustees to employ certified personnel to 1-year limited contracts that require no additional notice for termination at the end of the contract year.
- Montana legislation allows school districts to terminate the employment of non-tenured teachers at the end of a school year with or without just cause, and requires tenured teacher appeals go through a final, binding arbitration process.

- North Carolina revised its dismissal procedures under the Excellent Schools Act and extended the probationary period of teachers from 3 to 4 years.
- Rhode Island changed the requirements for tenure from three successive annual contracts to three within five successive school years.

Outlook for 1998: Continued Legislative Attention

Teacher issues are a high education priority for the 1998 legislative session in many states.

1998 promises to be another busy year for education and teacher policy according to a recent NCSL survey. Chairs of education committees and staff from 40 states and territories responded to questions on the likelihood of legislation in many areas, including teacher salaries, certification, and tenure and dismissal. Numerous respondents cited teacher issues as the highest education priority for the session, and hundreds of bills have already been introduced.

Legislators will again work to increase teacher quality through creating more rigorous teacher certification requirements in 1998. Through the addition of new course requirements in teacher preparation programs (especially in technology and reading instruction), teacher tests, and the mandatory completion of beginning teacher and professional development programs, states are requiring teachers to be better prepared. Respondents from Alaska, Iowa, Pennsylvania and Wisconsin indicated that teacher licensure will be a top issue in their state, and many more states have bills pending this legislative session.

Ironically these requirements come at a time when the projected need for teachers has never been higher. Due to class size reduction programs, the aging and impending retirement of a large segment of the teaching population, and a boom in student enrollment, millions of teachers will be needed. While most states are addressing this problem through higher salaries and teacher recruitment programs—loan orgiveness plans, teacher bonuses for relocating to shortage areas, and more expansive collaborations between districts and universities—others are turning to alternative certification and other licensure waivers.

For example, in Mississippi, bills have been introduced that would allow for an increase in the number of non-licensed teachers allowed per school as well as granting certification for applicants who fail the National Teachers Exam by two points a license to teach in critical shortage areas. South Dakota is considering legislation that would allow certain non-licensed people with special expertise to teach in public schools. A few states also are trying to entice retired teachers back into the classroom through legislation ensuring that retirees would continue to receive retirement benefits while working in public schools.

Teacher compensation will be a top issue in Alabama, Iowa, North Carolina and West Virginia according to the survey. West Virginia is attempting to both provide salary increases and alter the increments of the state salary schedule, while Alabama will consider a bill that would revise the state salary matrix and provide an 8.5 percent cost of living increase for teachers (HB 237). In North Carolina, although the Excellent Schools Act set

salary goals, the legislature must set aside new appropriations each year to meet these goals, likely causing teacher compensation to be a key issue in the state for the next few years.

Rather than raise the salary of all teachers, many states are considering merit pay as a means of further compensating teachers in 1998. Hawaii, Indiana, Arizona, Minnesota, Mississippi, Missouri, Oklahoma, Tennessee and Virginia all have legislation pending this session that would create or revamp performance pay programs. While most of these programs use student test results to determine who will receive merit pay, other programs rely on teacher evaluations; Colorado, Hawaii, Kentucky, Mississippi, New Hampshire, Oklahoma and Utah will examine evaluation legislation.

Having created a temporary task force to study teacher dismissal in 1997, only respondents from Colorado cited teacher tenure and dismissal as a key issue for 1998 on the survey. Two bills in Colorado, HB 1146 and HB 1090, would amend and expedite dismissal procedures for unsatisfactory teachers. Introduced and carried over legislation in Arizona, Georgia, Indiana, Iowa, Kentucky, Mississippi, Missouri, New Hampshire, New Jersey, New York, Rhode Island, Tennessee and Washington would alter dismissal procedures. Bills to eliminate tenure have been proposed in New York and Georgia.

Finally, many states will examine legislation that enhances professional development opportunities for teachers. While some bills deal with specific in-service days and topics, especially on the use of technology, others create broad mentor teacher programs and establish statewide teacher improvement centers. States will continue to assist teachers in attaining NBPTS certification and graduate degrees. Legislation has been introduced in Tennessee that allows teachers to take one class per semester at no charge at any state supported institution of higher learning.

States hope to enhance future teacher quality through more rigorous licensure and professional development requirements.

Projected teacher retirements and the demand for new educators provide states with a unique window of opportunity to reshape the composition of their teacher corps over the next decade. Currently, states have used this opportunity to enhance teacher quality through more rigorous licensure and professional development requirements and to establish recruitment programs to diversity the teaching population. As long as this window stays open, teacher policy promises to be a key issue for state legislatures.

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